

REMARKS

Claim status

Claims 16-35 were pending in the case at the time of the current Office Action. Claims 16, 25 and 29 are amended herein. New claims 36-38 are added herein. No new matter has been added and the new claims do not present any new issues that would require further consideration or search. Claims 16-38 are currently pending in the application.

Examiner Interview

The Examiner is firstly thanked for the very helpful interview conducted September 10, 2008, wherein the Office Action of June 16, 2008 was discussed, in relation to the claims pending in the application, and the cited patent of Rebane. In the interview, various distinguishing characteristics of the present invention were discussed in relation to the Rebane patent, and teachings thereof. More specifically, the aspects of the invention wherein the claimed invention is directed to a method for facilitating making of a trading decision by an investor, as compared to the teachings of Rebane, which relates to allocating investment funds of an investor in a portfolio, were discussed.

As explained at the interview, the present invention is directed to a method which allows an investor to determine whether an investment is trading at a fair value, undervalued or overvalued condition, to facilitate making a trading decision, or entering or exiting the market for a given investment. In Rebane, the method as described therein relates to allocating investment funds in an investment portfolio having multiple investments therein, and does not teach in any manner any method for facilitating the making of a trading decision relative to a particular investment. The present invention as claimed is therefore directed to evaluating the trading condition of an investment, and not how to allocate investment funds between multiple investments as in Rebane. In conjunction with this, the Examiner stated that including more particularly the recitation that the invention provides an indication of whether an investment is trading at a fair value, undervalued or overvalued condition would appear to clearly distinguish from the patent of Rebane. Independent claim 16 has therefore been amended accordingly, wherein the method is defined as a method for facilitating the making of a trading decision by an

investor, and includes the recitation that “the at least one price chart provides an indication of whether the investment is trading at a fair value, undervalued or overvalued conditions”. It is therefore believed that the claim as amended clearly includes the recited feature that clearly distinguished from the Rebane patent, and claim 16 is therefore believed to be in allowable condition based upon the discussions with the Examiner. Further, at the interview, the Examiner mentioned that an amendment may be needed to comply with 35 U.S.C. §101 requirements, and claim 16 as now amended sets forth that the method includes the step of receiving a collection of price data relating to an investment from a data source in a processor. It is believed that this amendment satisfies any requirement relative to 35 U.S.C. §101, and the claim should therefore be in condition for allowance.

Further, new claim 37 similarly recites a method for facilitating the making of a trading decision by an investor which also includes similar features to that recited in claim 16, including providing a “indication of a state of a market for the investment as being currently traded at a fair value, as overvalued or as undervalued” so as to “make a trading decision as to entering or exiting an investment”. This claim has been merely added to clarify the features of the invention in an alternative manner, which features clearly distinguish from the Rebane patent, and this claim is also believed to be clearly distinguishing and in condition for allowance. The new claim recites similar subject matter to the invention as set forth in claim 16, and does not raise any new issues that would require further consideration by the Examiner, and are therefore believed to be appropriate for submission and entering at this time. Based upon the interview with the Examiner, the claims as now set forth clearly distinguish and are believed to be in allowable condition, in accordance with the discussions with the Examiner.

Section 102 rejections

In the Office Action, the Examiner had continued rejection of claims 16-35 under 35 U.S.C. 102(e) as being anticipated by Rebane. As discussed at the Examiner interview, and as set forth above, the claims as now set forth clearly distinguish from Rebane, and are believed to

be in allowable condition based upon the discussion with the Examiner at the Examiner interview, and proposed amendments as reviewed with the Examiner. As such, favorable action is believed to be in order, and is hereby respectfully requested.

Respectfully submitted,

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